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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7910 of 2004

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Jagdish Mandal

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance:
For the Petitioner/s : Mr. Arun Prasad Ambastha
Mr. Ravindra Kr. Choudhary

For the Respondent/s : Mr. (SC 9)
Mr. Jitendra Prasad Singh
Mr. Dharmendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

05. 21-10-2013 Reg: I.A. No. 1456 of 2013

This interlocutory application has been filed for substitution of the sole petitioner Jagdish Mandal by his legal heirs. It is stated that the sole petitioner has deceased during the pendency of the proceedings.

Having heard Mr. Arun Prasad Ambastha, learned counsel for the petitioner and Mr. Jitendra Prasad Singh, learned counsel for the respondent nos. 4 to 6 and learned counsel for the State, the prayer is allowed. Let the name of the sole petitioner Jagdish Mandal be expunged and be substituted by his legal heirs named in paragraph-3 of the interlocutory application.

It is submitted by Mr. Ambastha that the Vakalatnama on behalf of the substituted heirs is already on record in the

interlocutory application.

I.A. No. 1456 of 2013 stands allowed.

Reg: C.W.J.C. No. 7910 of 2004

The writ petition questions the order passed by the respondent Anchal Adhikari, Rupouli and the appellate order passed by the Sub-Divisional Officer, Dhamdaha, District-Purnea in exercise of powers vested under the provisions of the Bihar Tenancy Act, 1885.

The dispute raised is amenable to the jurisdiction of the Bihar Land Tribunal constituted under Section 4 of the Bihar Land Tribunal Act, 2009 (hereinafter referred to as 'the Act') and the rules framed thereunder.

In view of the provisions of Section 9 and Section 15 of the Act read with Rule 5(6) of the Bihar Land Tribunal Rules, 2010, the records of the writ proceedings stands transferred / remitted to the Bihar Land Tribunal for adjudication.

The Registry is directed to transfer the records within four weeks from today.

(Jyoti Saran, J)

S.Sb/-